

(Pub. L. 103-400, § 7, Oct. 22, 1994, 108 Stat. 4171.)

### § 290n-6. Definitions

As used in this subchapter:

#### (1) Commission

The term “Commission” means the United States-Mexico Border Health Commission.

#### (2) Health problem

The term “health problem” means a disease or medical ailment or an environmental condition that poses the risk of disease or medical ailment. The term includes diseases, ailments, or risks of disease or ailment caused by or related to environmental factors, control of animals and rabies, control of insect and rodent vectors, disposal of solid and hazardous waste, and control and monitoring of air quality.

#### (3) Secretary

The term “Secretary” means the Secretary of Health and Human Services.

#### (4) United States-Mexico Border Area

The term “United States-Mexico Border Area” means the area located in the United States and Mexico within 100 kilometers of the border between the United States and Mexico.

(Pub. L. 103-400, § 8, Oct. 22, 1994, 108 Stat. 4171.)

## CHAPTER 8—FOREIGN SERVICE BUILDINGS

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291. Lease of buildings, etc., for offices, living quarters, heat, light, and equipment.
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- (a) Use of renewable energy systems in United States buildings in foreign countries.
- (b) Implementation of renewable energy projects by Secretary.
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293. Repealed.
294. Manner of use of buildings; contracts for construction, etc.
- 294a. Contracts requiring payment in foreign currency.
295. Authorization of appropriations; Foreign Service Building Fund; expenditures; foreign currencies.
- 295a, 295b. Omitted.
296. Duties of Secretary of State with respect to commission and properties.
- 296a. Maintenance management of overseas property.
297. Acquisition of property by lease.
- 297a, 298. Omitted.
299. Short title.
300. Dispositions of property; damage payments; acceptance of gifts or services.
- (a) Authority of Secretary of State.
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- (c) Proceeds from sale of furniture, furnishings, and equipment.
301. Lease or rental arrangements of not less than ten years; approval by Secretary; delegation of authority; information to Congress.
- (a) Leases.
- (b) Advance payments for long-term leases and lease purchase.
302. Award of contracts.
- (a) Eligibility limitation for construction, etc., abroad.
- (b) Foreign laws and regulations; competitive status and adequacy; bidder qualifications.
- (c) Contracts for construction, etc., in United States.
- (d) Discretionary determinations by Secretary of State.
- (e) Termination of requirements.

### CHAPTER REFERRED TO IN OTHER SECTIONS

This chapter is referred to in sections 2701, 2703, 4304 of this title; title 7 section 1765d; title 40 sections 474, 511.

### § 291. Lease of buildings, etc., for offices, living quarters, heat, light, and equipment

The Secretary of State may lease or rent, for periods not exceeding ten years, such buildings and grounds for the use of the Foreign Service as may be necessary; and he may, in accordance with existing practice without cost to them, and within the limit of any appropriation made by Congress, furnish the officers and employees in the Foreign Service with living quarters, heat, light, and household equipment in Government-owned or rented buildings, at places where, in his judgment, it would be in the public interest to do so, notwithstanding the provisions of section 5536 of title 5; and appropriations for “Contingent expenses, foreign missions,” and “Contingent expenses, consulates,” are made available for such purposes.

(Apr. 18, 1930, ch. 184, title I, 46 Stat. 177.)

### CODIFICATION

Section was not enacted as part of the Foreign Service Buildings Act, 1926, which comprises this chapter.

“Section 5536 of title 5” substituted in text for “section 1765 of the Revised Statutes (U.S.C., title 5, sec. 70; U.S.C., Supp. III, title 5, sec. 70)” on authority of Pub. L. 89-554, § 7(b), Sept. 6, 1966, 80 Stat. 631, the first section of which enacted Title 5, Government Organization and Employees.

### CROSS REFERENCES

Gifts of buildings for diplomatic and consular service, see section 2697 of this title.

### § 292. Acquisition of sites and buildings for diplomatic and consular establishments; allotment of space; credit of payments without regard to limitations of amounts

#### (a) Authority of Secretary of State

The Secretary of State is empowered to acquire by purchase or construction in the manner hereinafter provided, within the limits of appropriations made to carry out this chapter, by exchange, in whole or in part, of any building or grounds of the United States in foreign countries and under the jurisdiction and control of the Secretary of State, sites and buildings in

foreign capitals and in other foreign cities, and to alter, repair, and furnish such buildings for the use of the diplomatic and consular establishments of the United States, or for the purpose of consolidating within one or more buildings, the embassies, legation, consulates, and other agencies of the United States Government there maintained. The space in such buildings shall be allotted by the Secretary of State among the several agencies of the United States Government.

**(b) Payments from other than appropriated funds for acquisition of property**

Payments made for rent or otherwise by the United States from funds other than appropriations made to carry out this chapter may be credited toward the acquisition of property under this chapter without regard to limitations of amounts imposed by this chapter.

(May 7, 1926, ch. 250, § 1, 44 Stat. 403; May 29, 1928, ch. 876, § 1, 45 Stat. 971; Aug. 12, 1963, Pub. L. 88-94, § 2(b), 77 Stat. 122; Oct. 10, 1966, Pub. L. 89-636, § 2, 80 Stat. 881; Aug. 17, 1977, Pub. L. 95-105, title I, § 106(a), 91 Stat. 845.)

AMENDMENTS

1977—Subsec. (a). Pub. L. 95-105, § 106(a)(1), substituted “to carry out” for “pursuant to”.

Subsec. (b). Pub. L. 95-105, § 106(a)(2), substituted “to carry out” for “under authority of”.

1966—Pub. L. 89-636 designated existing provisions as subsec. (a) and added subsec. (b).

1963—Pub. L. 88-94 struck out “, subject to the direction of the commission hereinafter established,” after “is empowered”, “under such terms and conditions as in the judgment of the commission may best protect the interests of the United States,” after “in part,” and “, to the extent deemed advisable by the commission,” after “consolidating” and substituted “. The space in such buildings shall be allotted by the Secretary of State” for “, which buildings shall be appropriately designated by the commission, and the space in which shall be allotted by the Secretary of State under the direction of the commission.”

1928—Act May 29, 1928, inserted “or by exchange, in whole or in part, under such terms and conditions as in the judgment of the commission may best protect the interest of the United States, of any building or grounds of the United States in foreign countries and under the jurisdiction and control of the Secretary of State”.

PROPERTY AGREEMENTS

Pub. L. 103-236, title I, § 134, Apr. 30, 1994, 108 Stat. 396, as amended by Pub. L. 103-415, § 1(z), Oct. 25, 1994, 108 Stat. 4302, provided that: “Whenever the Department of State enters into lease-purchase agreements involving property in foreign countries pursuant to section 1 of the Foreign Service Buildings Act, 1926 (22 U.S.C. 292), the Department shall account for such transactions in accordance with fiscal year obligations.”

AUTHORITY OF DIRECTOR OF UNITED STATES INFORMATION AGENCY

Exercise of authority available under this chapter by Director of United States Information Agency, see Ex. Ord. No. 10477, Aug. 1, 1953, 18 F.R. 4540, set out as a note under section 1472 of this title.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 292a of this title.

**§ 292a. Demonstration of solar and other renewable energy technologies in foreign countries**

**(a) Use of renewable energy systems in United States buildings in foreign countries**

It is the purpose of this section to provide for the demonstration of solar energy and other renewable energy technologies in foreign countries through the use of such energy in buildings acquired under subsection (a) of section 292 of this title, in order that—

(1) countries in which such buildings are located may be given visible incentives to develop and use local solar energy or other renewable energy resources to reduce dependence upon petroleum and petroleum products;

(2) markets may be developed for American solar energy systems and components in order to stimulate investment in such systems and components and to reduce the costs of such systems and components to reasonable levels;

(3) in furtherance of the purpose of section 2151q<sup>1</sup> of this title, cooperation may be developed between the United States and other countries in an effort to develop solar energy or other renewable energy systems within a short period of time; and

(4) equipment which is vital to the operation of sensitive systems within United States missions abroad may be made more reliable and less dependent upon interruptible local energy supplies.

**(b) Implementation of renewable energy projects by Secretary**

(1) The Secretary of State shall implement projects for the application of solar energy or other forms of renewable energy in buildings acquired under subsection (a) section 292 of this title.

(2) The Secretary of State shall select projects under paragraph (1) in consultation with the Secretary of Energy. Such projects shall apply available solar energy and other renewable energy technologies, including those for—

(A) the heating and cooling of buildings;

(B) solar thermal electric systems;

(C) solar photovoltaic conversion systems;

(D) wind energy systems; and

(E) systems for developing fuels from biomass.

The Secretary of Energy shall inform the Secretary of State of all such technologies which are feasible for such projects, taking into account the resources and environmental conditions of the countries in which such projects are to be implemented. Upon the request of the Secretary of State, the Secretary of Energy shall provide to the Secretary of State any technical information or other technical assistance which the Secretary of State considers necessary with respect to any such project. Any project selected under this section should be similar to projects which have been demonstrated by the Department of Energy (or any of its predecessor agencies) to be reliable, maintainable, and technically feasible.

(3) Any project selected under this section shall be adaptable to the local resources, cli-

<sup>1</sup> See References in Text note below.